

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

GINETTE HEMLEY, SP 2016-MA-046 Appl. under Sect(s). 8-922 of the Zoning Ordinance to permit a reduction in certain yard requirements to allow the construction of an addition 7.6 ft. from a side lot line and 17.6 ft. from a front lot line. Located at 3426 Mansfield Rd., Falls Church, 22041, on approx. 17,674 sq. ft. of land zoned R-2. Mason District. Tax Map 61-1 ((11)) 989. Mr. Hammack moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of all applicable State and County Codes and with the by-laws of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on August 3, 2016; and

WHEREAS, the Board has made the following findings of fact:

1. The applicant is the owner of the land.
2. Under Section 8-922, Subsection 6, the Board has to find that the proposed reduction in yard requirements represents the minimum amount of reduction necessary to accommodate the proposed structure on the lot. The Board cannot come to that conclusion. The size of the garage proposed, 26.5 by 31.9 feet, is much larger than a standard two-car garage. The width is wider than a two car garage, and certainly, the depth is a lot deeper than a standard two car garage.
3. A good part of the proposed structure is beyond the 35-foot front yard setback.
4. The floor plan shows there is extra storage and a double-width staircase. There are things that could be done to reduce the size and still provide a usable garage.
5. The Board cannot conclude the application meets Standard 4, which states that the proposed development is harmonious with surrounding off-site uses and structures in terms of location, height, bulk, and scale. There is a second story, therefore, it is not just a two-car garage, but also a large addition to the house. The height is 19 feet. The plat shows that the existing height of the house to the peak is only 15.6 feet. This would be higher than the existing structure.
6. Given the size and bulk, the application fails to meet Standard 5, which states the proposed development does not adversely impact the use, development, or enjoyment of any adjacent property.

AND WHEREAS, the Board of Zoning Appeals has reached the following conclusions of law:

THAT the applicant has not presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 8 006 and the additional standards for this use as contained in the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **DENIED**.

Mr. Hart seconded the motion, which carried by a vote of 6-0. Mr. Byers was absent from the meeting.

A Copy Teste:

A handwritten signature in cursive script, reading "Mary D. Padrutt", written over a horizontal line.

Mary D. Padrutt, Deputy Clerk
Board of Zoning Appeals